

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RAYMOND ANTHONY SMITH, as  
Administrator of the Estate of George Eric  
Smith, deceased; and KATHERINE SOULAS,  
Executrix of the Estate of Timothy Soulas,  
deceased

Plaintiffs,

v.

THE ISLAMIC EMIRATE OF  
AFGHANISTAN, et al.

Defendants.

CASE NO. 01-cv-10132-GBD-SN

**NOTICE OF MOTION TO RENEW AND EXTEND JUDGMENT AGAINST THE  
TALIBAN, THE ISLAMIC EMIRATE OF AFGHANISTAN,  
AND AL QAEDA/ ISLAMIC ARMY**<sup>1</sup>

PLEASE TAKE NOTICE that, upon the attached Memorandum of Law, the undersigned attorneys for Plaintiffs, Raymond Anthony Smith, Administrator of the Estate of George Smith, and Katherine Soulas, Executrix of the Estate of Timothy Soulas shall move this Court, before the Honorable George B. Daniels, United States District Judge for the Southern District of New York

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<sup>1</sup> Service of this motion upon the Taliban, the Islamic Emirate of Afghanistan and Al Qaeda/Islamic Army is not required, as each Defendant is a defaulting party per Fed. R. Civ. P. 5(a)(2). Federal Rule of Civil Procedure 5 states in relevant part:

(2) If a party Fails to Appear. No service is required on a party who is in default for failing to appear.

Fed. R. Civ. P. 5(a)(2). Plaintiffs obtained a default judgment against the Taliban, the Islamic Emirate of Afghanistan, and Al Qaeda/Islamic Army. Moreover, neither the Taliban, the Islamic Emirate of Afghanistan, nor Al Qaeda appeared at the hearing of this matter (inquest) upon which judgment was entered by the District Court. Accordingly, under Rule 5 service of this motion is not required as to the Taliban, the Islamic Emirate of Afghanistan, and Al Qaeda as defaulting judgment debtors.

and the Honorable Sarah Netburn Magistrate Judge for the Southern District of New York, pursuant to Federal Rule of Civil Procedure 69(a)(1) and New York New York Civil Practice Law and Rules Sections 5014 and 3213 for an Order renewing and extending for an additional twenty (20) years, their judgment (#03,1446) [ECF 28] docketed 14 July 2003 against Defendants, the Taliban, the Islamic Emirate of Afghanistan, and Al Qaeda/Islamic Army.

Defendants must submit answering papers<sup>2</sup> to this motion within the time provided by N.Y. C.P.L.R. 320(a).

Respectfully submitted,

**THE BEASLEY FIRM, LLC**

By: /s/ James E. Beasley, Jr.  
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<sup>2</sup> Service of this motion is not required as to the judgment-debtors who defaulted by failing to appear in this action. Fed. R. Civ. P. 5(a)(2).